

Remarks

The application has been amended to include include the patent No. 6,733,991 in the priority claim that was added in a preliminary amendment, thus correcting the current status of application 09/709,103 as requested by the Examiner.

Claims 30 and 32-41 remain in this application. Claim 30 has been amended to include the limitation present in former claim 31. Support for the latter amendment can be found in the original specification at page 14, line 28 to page 15, line 7, and at page 42, line 10 to page 43, line 17. Claim 31 has been cancelled. Claims 32-41 are as previously or originally presented.

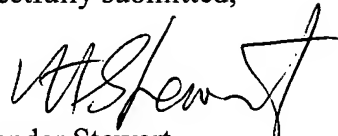
The above amendments do not involve any issue of new matter. Therefore, the entry of these amendments is respectfully requested.

On page 13 of the Office Action of March 21, 2004 the Examiner indicated that claims 31 and 33 “would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.” Applicants have thus amended claim 30 to incorporate all the limitations of claim 31. All the remaining claims, i.e. claims 32-41, are dependent, either directly or indirectly, on amended claim 30. Accordingly, applicants respectfully submit that all rejections under 35 USC 112 and 35 USC 102 described in the abovementioned Office Action are now moot and request their withdrawal.

In view of the amendments set forth above, applicants respectfully request that the Examiner reconsider and withdraw the various grounds of rejection and objection, and that a timely Notice of Allowance be issued in this case.

Agent for Applicants can be reached at the telephone number and address below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Stewart', with a stylized flourish at the end.

Alexander Stewart
Agent for Applicants
Registration No. 47,110
Telephone No. (631) 962-2149
Fax No. (631) 752-3880

August 11, 2005
OSI Pharmaceuticals, Inc.
58 South Service Road, Suite 110
Melville, NY 11747